

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: AUGUST 6, 2008**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VAR-28322 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SCHNIPPEL FAMILY, LP - Request for a Variance TO ALLOW 359 PARKING SPACES WHERE 380 SPACES ARE REQUIRED FOR A PROPOSED 234-UNIT CONDOMINIUM DEVELOPMENT on 9.12 acres at the northeast corner of Centennial Parkway and Shaumber Road (APN 126-24-410-003), PD (Planned Development) Zone [M (Medium Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (3-2 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (3-2 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Providence Design Review Committee Letter
7. Submitted after Final Agenda – Protest/Support Postcards
8. Submitted after Meeting – Recordation Notice of Council Action and Conditions of Approval for Items 123 and 124
9. Backup Referenced from the 07-10-08 Planning Commission Meeting Item 25

Motion made by STEVEN D. ROSS to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,  
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);  
(Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 123 and 124.

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MARK BANGAN, 6765 West Russell Road, appeared on behalf of the investors group. He has worked with COUNCILMAN ROSS' office regarding the parking reduction request and he was able to reduce the number seven spaces. However, when he submitted his application, it was brought to his attention there were a few other waivers that needed to be addressed that were in the original site plan but were not requested. The plan has not been changed, but along the east and west property lines, there is a requirement for 10 feet; the originally approved site plan showed six feet of landscaping along the east and west property lines.

He indicated that the Code requires a two-foot setback from a residential use to a parking space. However, this is for a carriage unit and is above the parking space. This will not set a precedent, as a prior application was approved for a developer for a similar situation.

MARGO WHEELER, Director of Planning and Development, explained that as part of the notice before the City Council is the waiver request for six feet where 10 feet are required. As far as the upper floor setback, that is also part of the notice and Council can act upon these applications.

COUNCILMAN ROSS asked if Conditions 1 and 2 could be removed from Item 124. MS. WHEELER replied those conditions were added by the Planning Commission and they could be removed. The application before the Council was properly noticed, and the site plan dated June 18, 2008 is the plan referenced in the conditions.

MAYOR GOODMAN declared the Public Hearing closed for Items 123 and 124.